



Docket No. 8734.275
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Dong Jae YOU, et al

Customer No. 30827

Application No. 10/736,665

Confirmation No. 5343

Filed: December 17, 2003

Art Unit: 2871

For: LIQUID CRYSTAL DISPLAY DEVICE
HAVING DIGITIZER AND METHOD FOR
FABRICATING THE SAME

Examiner: Phu VU

MS Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPELLANTS' BRIEF

Sir:

In response to a Final Rejection of all pending claims that was mailed on April 6, 2007, and in support of a "Notice of Appeal" filed October 5, 2007, Appellants hereby submit this Appeal Brief.

The fees required under § 1.17(f) and any required petition for extension of time for filing this brief and fees therefore are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.

This brief contains items under the following headings as required by 37 C.F.R. § 41.37(c):

- I. Real Party In Interest
- II. Related Appeals and Interferences
- III. Status of Claims
- IV. Status of Amendments
- V. Summary of Claimed Subject Matter

VI. Grounds of Rejection to be Reviewed on Appeal

VII. Argument

Claims Appendix

Evidence Appendix

Related Proceedings Appendix

I. REAL PARTY IN INTEREST

The real party in interest for this appeal is: LG.PHILIPS LCD CO., LTD.

II. RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences that will directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

III. STATUS OF CLAIMS

Total Number of Claims in the Application

There are 20 claims pending in the Application.

Current Status of Claims

Claims canceled: 7

Claims withdrawn from consideration but not canceled: 14-21

Claims pending: 1-6, and 8-21

Claims allowed: None

Claims objected to: None

Claims rejected: 1-6 and 8-13

Claims on Appeal: 1-6 and 8-13.

IV. STATUS OF AMENDMENTS

The Examiner issued a Final Rejection on April 6, 2007. A response to the Final Rejection was filed July 5, 2007. Accordingly, the claims enclosed herein as the Claims Appendix reflect the current status of claims 1-6 and 8-13.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The following is a summary of the claimed subject matter described in independent claim 1 of the application. The present invention relates to a liquid crystal display device, and more particularly, to a liquid crystal display device having a digitizer and a method for fabricating the same.

Independent claim 1 defines a liquid crystal display device including: a liquid crystal display device module 10; a printed circuit board 45 located in close proximity to a support main 13 of the liquid crystal display device module; and a fixing device 41 for inserting a digitizer 40 to fix the digitizer 40. (See Fig. 5 and page 21, lines 8-16). The fixing device 41 has a floor part 41b and a covering part 41a that each receives an edge of the digitizer, wherein the floor part adheres to a rear surface of the support main, and wherein the digitizer is inserted between the floor part and the covering part. (See Figs. 5, 6A, and 6B).

VI. GROUND S OF REJECTION TO BE REVIEWED ON APPEAL

The Examiner rejected claims 1, 3, 5, 6, and 12 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,274,198 to Landmeier ("Landmeier"). Further, the Examiner rejected claim 2 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Landmeier in view of U.S. Patent No. 5,336,535 to Fukuchi et. al. ("Fukuchi"). The Examiner rejected claims 8 and 9 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Landmeier and U.S. Patent No. 5,984,294 to Bogomolny ("Bogomolny"). Further, the Examiner rejected claim 10 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,661,399 to Oh et al. ("Oh"). The Examiner rejected claim 11 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,661,399 to Landmeier. Finally, the Examiner rejected claims 4 and 13 under 35 U.S.C. § 103(a) as being unpatentable over Landmeier in view of U.S. Patent No. 5,670,994 to Kawaguchi et. al. ("Kawaguchi").

VII. ARGUMENT

A. The Examiner improperly rejected claims 1, 3, 5, 6, and 12 under 35 U.S.C. § 102(b) as allegedly being anticipated by Landmeier.

1. Claim 1

Independent claim 1 recites a liquid crystal display device having a combination of features including “a fixing device for inserting a digitizer to fix the digitizer, wherein the fixing device has a floor part and a covering part that each receives an edge of the digitizer, wherein the floor part adheres to a rear surface of the support main, and wherein the digitizer is inserted between the floor part and the covering part.” Applicants submit that Landmeier does not disclose at least this element of claim 1.

In the Office Action dated April 6, 2007 (“Office Action”), the Office cites element 56 of Landmeier as “a support main.” See page 2 of Office Action. Applicants respectfully disagree with this identification. Applicants submit that element 56 of Landmeier refers to a “backlighting panel.” See Landmeier at column 4, lines 23-24. Applicants respectfully assert that the backlighting panel does not function as and is distinct from a support main as recited in claim 1. Accordingly, Applicants submit that Landmeier does not disclose at least “wherein the floor part adheres to a rear surface of the support main” at that Landmeier does not anticipate claim 1 for at least this reason.

The Office cites element 28 of Landmeier as “a fixing device”. See page 2 of Office Action. Applicants respectfully disagree and point out that element 28 of Landmeier refers to a “mylar substrate” that is “wrapped over and around the edges of a supporting substrate 32.” See Landmeier at column 3, lines 34-38. Accordingly, Applicants submit that element 28 of Landmeier does not disclose “a fixing device of the present invention has a floor part and a covering part that each receives an edge of the digitizer” as recited in claim 1, because one of ordinary skill would not use the mylar substrate 28 “wrapped over and around the edges of a supporting substrate” as a fixing device.

Further, the Office cites element 30 of Landmeier as “a digitizer.” Applicants respectfully disagree and point out that element 30 of Landmeier refers to a “conductive grid ink” while item 14 of Landmeier is disclosed as the “digitizing table.” See column 3, lines 32-29. Accordingly, Applicants submit that Landmeier does not disclose at least “wherein the

fixing device has a floor part and a covering part that each receives an edge of the digitizer, wherein the floor part adheres to a rear surface of the support main, and wherein the digitizer is inserted between the floor part and the covering part,” as recited in claim 1, and does not anticipate claim 1 for at least this additional reason.

2. Claims 3, 5, 6, and 12

Applicants note that claims 3, 5, 6, and 12 each depend from claim 1 and that each include by reference all of the elements of claim 1. Accordingly, Applicants respectfully submit that Landmeier does not anticipate claims 3, 5, 6 and 12 based on the dependencies of the claims and for the reasons given for claim 1.

B. The Examiner improperly rejected claim 2 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Landmeier in view of Fukuchi; claims 8 and 9 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Landmeier in view of Bogomolny; claim 10 and 11 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Landmeier; and claims 4 and 13 under 35 U.S.C. § 103(a) as being unpatentable over Landmeier in view of Kawaguchi.

1. Claim 2, 4, 8-11, and 13

Claims 2, 4, 8-11 and 13 each depend from claim 1 and each recite all of the limitations of claim 1.

As Applicants have discussed above, Landmeier does not disclose at least a liquid crystal display device having a combination of features including “a fixing device for inserting a digitizer to fix the digitizer, wherein the fixing device has a floor part and a converging part that each receives an edge of the digitizer, wherein the floor part adheres to a rear surface of the support main, and wherein the digitizer is inserted between the floor part and the covering part,” as recited in independent claim 1. In the Office Action, the Office cites Fukuchi, Bogomolny, and Kawaguchi as teaching elements explicitly recited in the dependent claims 2, 4, 8, 9, 10, 11 and 13. See of Office Action pages 3-5. Applicants do not reach the Office’s conclusions regarding the teachings of Fukuchi, Bogomolny, Oh, and Kawaguchi. Applicants respectfully submit that none of the cited references including Fukuchi, Bogomolny, Oh, and Kawaguchi, cure the deficiencies of Landmeier with respect to the above-identified combination of elements recited in claim 1. Applicants submit that as Landmeier, Fukuchi, Bogomolny, Oh, and Kawaguchi, analyzed singly or in any combination, do not teach or suggest each and every

element of claim 1, claims 2, 4, 8, 9, 10, 11 and 13 depending from claim 1 are each allowable over Landmeier, Fukuchi, Bogomolny, Oh, and Kawaguchi.

A copy of the claims involved in the present appeal is attached hereto as the Claims Appendix.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: May 5, 2008

Respectfully submitted,

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element of claim 1, claims 2, 4, 8, 9, 10, 11 and 13 depending from claim 1 are each allowable over Landmeier, Fukuchi, Bogomolny, Oh, and Kawaguchi.

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Dated: May 5, 2008

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CLAIMS APPENDIX

Claims Involved In The Appeal Of Application Serial No. 10/736,665:

1. A liquid crystal display device, comprising:
a liquid crystal display device module;
a printed circuit board located in close proximity to a support main of the liquid crystal display device module; and
a fixing device for inserting a digitizer to fix the digitizer, wherein the fixing device has a floor part and a covering part that each receives an edge of the digitizer, wherein the floor part adheres to a rear surface of the support main, and wherein the digitizer is inserted between the floor part and the covering part.
2. The liquid crystal display device of claim 1, wherein the fixing device is formed of a polyethylene terephthalate film.
3. The liquid crystal display device of claim 1, wherein the fixing device is formed in a thin pocket shape.
4. The liquid crystal display device of claim 1, wherein the fixing device is adhered by a double-faced tape so as to be fixed at a bottom surface of the support main.
5. The liquid crystal display device of claim 1, wherein the fixing device is provided between the support main at a rear portion of the liquid crystal device module and the printed circuit board.

6. The liquid crystal display device of claim 1, wherein the fixing device has a U-shaped end portion in contact with the printed circuit board.

8. The liquid crystal display device of claim 1, wherein the covering part is coated with a color different from the floor part.

9. The liquid crystal display device of claim 8, wherein the color is printed at an edge of the covering part.

10. The liquid crystal display device of claim 1, wherein the covering part and the floor part of the fixing device are formed as a single body.

11. The liquid crystal display device of claim 1, wherein the covering part of the fixing device prevent the inserted digitizer from contacting the printed circuit board.

12. The liquid crystal display device of claim 9, wherein the edge of the covering part is rounded along the surface of the printed circuit board.

13. The liquid crystal display device of claim 1, wherein the floor part of the fixing device is adhered by a doubledfaced tape and fixed at the rear side of the support main.

EVIDENCE APPENDIX

Evidence:

None.

RELATED PROCEEDING APPENDIX

Related Proceedings:

None.